SENATE BILL   No. 1630

Introduced by Senator Speier

February 20, 2004

~~An act to amend Section 1366.35 of the Health and Safety Code, and to amend Section 10785 of the Insurance Code, relating to health care.~~ *An act to add Article 6.5 (commencing with Section 49030) to Chapter 6 of Part 27 of the Education Code, relating to pupils.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1630, as amended, Speier. ~~Health care~~ *Performance-enhancing dietary supplements*.

Existing law~~, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care. Existing law also provides for the licensure and regulation of health insurers by the Department of Insurance. Existing law prohibits a health care service plan or health insurer from declining to offer coverage to or deny enrollment of a federally eligible defined individual, as defined.~~

~~This bill would make nonsubstantive changes to these provisions.~~ *sets forth the rights and responsibilities of pupils in public schools. Existing law further requires certain school employees to comply with various educational requirements.*

The bill would declare the intent of the Legislature to require each school district, commencing in the 2006–07 school year, to test for steroid and performance-enhancing dietary supplement use by pupils participating in high school sports if funding is made available for that purpose.

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This bill would require the State Department of Education to develop a list of performance-enhancing dietary supplements, as defined, that would be prohibited from use by pupil athletes. The bill would prohibit a pupil from participating in high school sports unless that pupil agrees not to use any of the prohibited substances identified by the department and the parent or guardian of that pupil signs a notification form regarding those restrictions. By imposing additional duties on school districts, this bill would impose a state-mandated local program. The bill would prohibit schools from accepting sponsorships from manufacturers of those supplements and would prohibit certain school employees from selling, distributing, or promoting those supplements.

The bill would require each high school coach to complete a coaching education program developed by his or her school district or by the California Interscholastic Federation that includes a component on steroid and performance-enhancing dietary supplement use by adolescents. The bill would require each coach to complete that course on or before December 31, 2007.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed $1,000,000 statewide and other procedures for claims whose statewide costs exceed $1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ *yes*. State-mandated local program: ~~no~~ *yes*.

The people of the State of California do enact as follows:

1 ~~SECTION 1.   Section 1366.35 of the Health and Safety Code~~
2 *SECTION 1.   It is the intent of the Legislature to require each*
3 *school district, commencing in the 2006–07 school year, to test for*
4 *steroid and performance-enhancing dietary supplement use by*
5 *pupils participating in high school sports if funding is made*
6 *available for that purpose.*

1   SEC. 2.   Article 6.5 (commencing with Section 49030) is
2   added to Chapter 6 of Part 27 of the Education Code, to read:
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4   Article 6.5.   Prohibition of Performance-Enhancing Dietary
5   Supplements
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7   49030.   For   the   purposes   of   this   article,
8   "performance-enhancing dietary supplement" means a dietary
9   supplement that purports to enhance physical performance or
10   development above levels that would be anticipated under normal
11   conditions.
12   49031.   (a) A teacher, athletic director, sports coach, or other
13   school official may not sell, distribute, or promote a
14   performance-enhancing dietary supplement.
15   (b) A school may not accept a sponsorship from a
16   performance-enhancing dietary supplement manufacturer.
17   49032.   (a) The State Department of Education shall develop
18   a list of performance-enhancing dietary supplements for the
19   purposes of this article.
20   (b) A pupil may not participate in high school sports unless that
21   pupil agrees not to use any of the supplements identified by the
22   department pursuant to subdivision (a) and the parent or guardian
23   of that pupil signs a notification form regarding those restrictions.
24   49033.   (a) On or before December 31, 2007, each high
25   school coach shall complete a coaching education program
26   developed by his or her school district or the California
27   Interscholastic Federation that includes a component on the use
28   of performance-enhancing dietary supplements and steroids by
29   adolescents.
30   (b) Upon completion of the program, a high school coach shall
31   be deemed to have completed the education requirement for the
32   remainder of his or her time coaching at the high school level in
33   any school district in the state.
34   (c) Each high school coach shall be responsible for the costs of
35   taking the course.
36   SEC. 3.   Notwithstanding Section 17610 of the Government
37   Code, if the Commission on State Mandates determines that this
38   act contains costs mandated by the state, reimbursement to local
39   agencies and school districts for those costs shall be made
40   pursuant to Part 7 (commencing with Section 17500) of Division

1 *4 of Title 2 of the Government Code. If the statewide cost of the*
2 *claim for reimbursement does not exceed one million dollars*
3 *($1,000,000), reimbursement shall be made from the State*
4 *Mandates Claims Fund.*
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> **All matter omitted in this version of the bill appears in the bill as introduced in the Senate, Febuary 20, 2004 (JR 11)**

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